

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

IN RE:)	CASE NO.8:03CV437
)	MDL NO.1597
)	
UNION PACIFIC RAILROAD EMPLOYMENT PRACTICES LITIGATION)	ORDER APPROVING STIPULATION ON ATTORNEYS' FEES
)	
)	

This matter is before the Court on the parties' Stipulation Concerning Resolution of Plaintiffs' Motion for Attorneys' Fees. Counsel for the parties have worked diligently and cooperatively to settle these outstanding issues, and I will approve their stipulation with one qualification. Accordingly,

IT IS ORDERED:

1. The parties' Stipulation Concerning Resolution of Plaintiffs' Motion for Attorneys' Fees (Filing No. 265) is approved, and the relief requested therein is granted;
2. According to the parties' agreement, plaintiffs, as the prevailing parties in this action, shall be awarded fair and reasonable attorneys' fees, expenses, and costs from defendant Union Pacific Railroad Company ("Union Pacific") in the amount of \$808,912.41, of which \$767,500.00 shall be attributable to attorneys' fees. No further amount shall be awarded to plaintiffs as attorneys' fees, costs, or expenses in connection with activities performed before this Court;
3. Plaintiffs' request for an enhancement of the award of attorneys' fees with a multiplier is denied according to the terms of the parties' stipulation; and
4. In accordance with this Court's October 17, 2005, Order, this award of attorneys' fees is stayed pending appeal. As provided in the October 17, 2005, Order, should Union Pacific file an appeal in this case, it shall file a supersedeas bond in the

amount of \$5.2 million, which shall cover, among other things, the attorneys' fees awarded in this Order. In the event that Union Pacific prevails on the liability issue on appeal, plaintiffs will not be entitled to any damages, injunctive relief, attorneys' fees, expenses, or costs.

Dated this 10th day of February, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge